IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2007

CORAM:

THE HON'BLE MR.JUSTICE P.JYOTHIMANI

W.P.NO.41976 of 2006
and
M.P.NO.1 OF 2006

M.Bojarajan . ..Petitioner

Vs.

1.The District Collector,
Erode District,
Erode-11.

2. The Revenue Divisional Officer,
Erode Division,
Brough Road,
Erode-1.

3.The Tahsildar,
Erode Taluk,
Erode-1.

4. The Executive Engineer,
Public Works Department,
LBP Division,
Railway Colony Post,
Erode 638 002. ...Respondents.

Prayer: Petition filed under Section 226 of the Constitution of India praying for the issue of Writ of mandamus directing the respondent to issue time chit of 2.30 hours per cycle or time chit in par with the other Ayacutthare of the same vent, for water supply to the petitioner's 5 acre land situate in old SF.No.132 and RS.No.1666/2 to 9 of Aval Poondurai Village, Erode Taluk and District from Unjalur distributory at 8.2.640LBP Canal tail dam at 0.3.220 drect vent of LBP Canal tail dam at 0.3.220 direct vent of LBP Canal.

For Petitioner:Mr.V.S.Kesavan
For Respondents: Mrs.Geetha Thamaraiselvam
Government Advocate

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O R D E R

The writ petition is filed for a direction against the second respondent to issue time chit of 2.30 hours per cycle or time chit in par with the other Ayacutthars of the same vent, for water supply to the petitioner's 5 acre land situates in Old SF No.132 and RS.No.1666/2 to 9 of Aval Poondurai Village, Erode Taluk and District from Unjalur distributory at 8.2.640 LBP canal tail dam at 0..3.220 direct vent of LBP canal.

2. Learned counsel for the petitioner would submit that the petitioner has made several representations to the respondents on 17.8.2004, 24.2.2005 and ultimately a legal notice was issued on 11.7.2005 quoting various instances where similar Ayacuttharts were permitted to get water for 30 minutes per acre per cycle ratio, whereas the same is denied to the petitioner.

3. Even though the petitioner has filed the above writ petition with the prayer extracted above, learned counsel for the petitioner would submit that the petitioner will be satisfied if a direction is given to the third respondent viz.,. Tahsildar to consider the representation of the petitioner and pass appropriate orders for which course of action, the learned Government Advocate who took notice has no objection.

4. In view of the same, the writ petition is disposed of with a direction to the third respondent to consider the representations of the petitioner dated 17.8.2004, 24.2.2005 and the legal notice dated 11.7.2005 and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, M.P.No.1 of 2006 is closed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

VJY

To

1.The District Collector,
Erode District, Erode-11.

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2. The Revenue Divisional Officer,
Erode Division, Brough Road,
Erode-1.

3.The Tahsildar,
Erode Taluk,
Erode-1.

4. The Executive Engineer,
Public Works Department,
LBP Division,
Railway Colony Post,
Erode 638 002

1 cc To M/S.V.S.Kesavan, Advocate, SR.26726.
1 cc To The Government Pleader, SR.26155.

W.P.NO.41976 OF 2006

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RVL 26.04.2007

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